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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/626,443 | HOGAN, MICHAEL | |
| | Examiner | Art Unit | |
| | PETER COUGHLAN | 2129 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 January 2009*.

2a)☒ This action is FINAL. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44 and 46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44, 46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

# Detailed Action

1. This office action is in response to an AMENDMENT entered January 9, 2009 for the patent application 10/626443 filed on July 24, 2003.

2. All previous Office Actions are is fully incorporated into this Final Office Action by reference.

3. Examiner's Comment: Although, the terms 'carrier wave' or 'carrier signal' is not specifically mentioned within the specification, the Examiner will exclude these interpretations wherein the context of 'storing data', 'database' is disclosed.

*Status of Claims*

4. Claims 1-44, 46 are pending.

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject

matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 9-11, 13, 20, 35, 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brandl and Moore. (U. S. Patent 6834370, referred to as Brandl; U. S. Patent Publication 20010056429, referred to as Moore)

Claim 1

Brandl teaches obtaining configuration information from a computer based validated biopharmaceutical batch process control system (Brandl, C1:1-36, C48:54 through C49:10; 'Biopharmaceutical batch process control system' of applicant is disclosed by 'The process industry is the segment of industry which handles bulk materials, such as chemicals, food products, bulk polymeric materials, fuels, pharmaceuticals, etc., by processing input materials in a bulk manner to change their physical or chemical state to manufacture products' of Brandl. 'Obtaining configuration information' of applicant is illustrated by 'The file folders pane allows the user to select the elements of the recipe he wishes to view' of Brandl.) based upon an automatically detected hierarchy among elements of the configuration information automatically obtaining a first transformed version of the configuration. (Brandl, abstract, C18:61 through C19:20; 'Automatically' of applicant is equivalent to 'automatically' of Brandl. 'Hierarchy among elements of the configuration information' of applicant is disclosed by 'The batch control system 18 controls manufacture in the process cell 14 through its

interface to the control modules 38 within the process cell. Although each control module typically can be operated independently of all of the other control modules in the process cell, the logical grouping of the control modules 38 into the hierarchy of equipment modules 36, units 34, and process cells 14 provides for a more organized picture of the process equipment. This structure often simplifies the task of controlling a process to manufacture a product' of Brandl. 'Automatically obtaining a first transformed version of the configuration' of applicant is disclosed by 'A method is provided for automatically creating a set of master recipes from general recipe using site information' in combination with 'The following description will explain, in accordance with the preferred embodiments of the invention, how a set of master recipes will be created to perform the process of the general recipe of fig 13 in the process cell 14 of fig 12' of Brandl.)

Brandl does not teach generating, via a first set of instructions encoded in DHTML.

Moore teaches generating, via a first set of instructions encoded in DHTML. (Moore, ¶0291; 'Encoded in DHTML' of applicant is equivalent to using as a presentation language of DHTML of Moore.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl by using DHTML as taught by Moore to have generating, via a first set of instructions encoded in DHTML.

For the purpose of having dynamic use of the invention over the internet.

Brandl teaches a graphical user interface based on an automatically detected hierarchy among elements of the first transformed version of the configuration information. (Brandl, fig, 70; 'Graphical user interface' of applicant is disclosed by an image of the graphical used interface used with Brandl.) transforming the first transformed version of the configuration information using user input to obtain a second transformed version of the configuration information (Brandl, C33:55-65, 41:64 through C42:24; Examples of transforming the first transformed version of the configuration information' of applicant are 'The actual data structure, the units of measure used for the various pieces of data (such as pressures, temperatures, volumes, etc.), the information selected to be in the database, etc. are all matters of choice. In the preferred embodiments, the users select the units of measure to be used for each data type. The users preferably also select what information is included in the unit specific equipment information database and in the equipment requirements section of each recipe segment', 'The optimization information 132 may be user defined or it may be predefined, such as minimum number of material movements, minimum number of units used to perform the general recipe 44 in the process cell 14, or minimum cost of running a recipe segment 64' and 'Each of these blocks preferably allows the user to select whether the optimization algorithms associated with the block are activated or not' of Brandl.) the user input obtained via the graphical user interface the user input indicative that a second set of DHTML instructions are to be applied to obtain the second transformed version of the configuration information (Brandl, figures 70 and 71; 'Graphical user interface' of applicant is illustrated by the graphic user interfaces of

these figures of Brandl.) expressing the first transformed version and the second transformed version in a destination biopharmaceutical batch process control system, the biopharmaceutical batch process control system configured by the second transformed version to control a biopharmaceutical batch process. (Brandl, C1:1-36, figures 70 and 71; 'Biopharmaceutical batch process control system' of applicant is disclosed by 'The process industry is the segment of industry which handles bulk materials, such as chemicals, food products, bulk polymeric materials, fuels, pharmaceuticals, etc., by processing input materials in a bulk manner to change their physical or chemical state to manufacture products' of Brandl. These figures of Brandl show the formula of 'product C' and the user is able to generate a second transformed version using the graphic interface.)

Claim 9

Brandl does not teach applying XSLT transforms to the information.

Moore teaches applying XSLT transforms to the information. (Moore, ¶0291; 'XSLT transform' of applicant is equivalent to 'XSLT as a scripting language' of Moore.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl by introducing XSLT as taught by Moore to apply XSLT transforms to the information.

For the purpose of using standard information technologies such as XSLT for obtaining reliable results.

Claim 10

Brandl does not teach applying XSLT transforms to the information and generating DHTML.

Moore teaches applying XSLT transforms to the information and generating DHTML. (Moore, ¶0291; 'XSLT transform' of applicant is equivalent to 'XSLT as a scripting language' of Moore. 'Generating DHTML' of applicant is equivalent to using as a presentation language of DHTML of Moore.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl by applying XSLT to DHTML as taught by Moore to apply XSLT transforms to the information and generating DHTML.

For the purpose of generating an interface which a user can interact with.

Claim 11

Brandl does not teach generating DHTML encoding a plurality of options for translating an element of the information.

Moore teaches generating DHTML encoding a plurality of options for translating an element of the information. (Moore, ¶0291; 'Generating DHTML' of applicant is equivalent to using as a presentation language of DHTML of Moore. A 'presentation language' of Moore is equivalent to 'translating an element of the information' of applicant.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl by using DHTML abilities

as taught by Moore to generate DHTML encoding a plurality of options for translating an element of the information.

For the purpose of having a dynamic interface so the user can input translation requests.

Claim 13

Brandl does not teach interpreting a plurality of options adapted for use in translation of an element of the information using DHTML logic.

Moore teaches interpreting a plurality of options adapted for use in translation of an element of the information using DHTML logic. (Moore, ¶0291; 'Interpreting' of applicant is the presentation language function.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl by using DHTML as taught by Moore to interpreting a plurality of options adapted for use in translation of an element of the information using DHTML logic.

For the purpose of using logic to provide accurate results obtained from the use of established software as DHTML logic.

Claim 20

Brandl teaches receiving input relating to an element of the information from a user. (Brandl, figures 70 and 71; 'Receiving input relating to an element of the information from a user' of applicant is equivalent to graphical user interface of Brandl.)

Claim 35

Brandl does not teach wherein XSLT is employed to translate the information.

Moore teaches wherein XSLT is employed to translate the information. (Moore, ¶0291; 'XSLT transform' of applicant is equivalent to 'XSLT as a scripting language' of Moore.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl by using XSLT as taught by Moore to have wherein XSLT is employed to translate the information.

For the purpose of using standard information technologies such as XSLT for obtaining reliable results in translation tasks.

Claim 43

Brandl teaches obtaining configuration information from a computer based validated biopharmaceutical batch process system (Brandl, C1:1-36, C48:54 through C49:10; 'Biopharmaceutical batch process control system' of applicant is disclosed by 'The process industry is the segment of industry which handles bulk materials, such as chemicals, food products, bulk polymeric materials, fuels, pharmaceuticals, etc., by processing input materials in a bulk manner to change their physical or chemical state to manufacture products' of Brandl. 'Obtaining configuration information' of applicant is illustrated by 'The file folders pane allows the user to select the elements of the recipe he wishes to view' of Brandl.) based upon an automatically detected hierarchy among elements of the configuration information automatically obtaining a first transformed

version of the configuration. (Brandl, abstract, C18:61 through C19:20; 'Automatically' of applicant is equivalent to 'automatically' of Brandl. 'Hierarchy among elements of the configuration information' of applicant is disclosed by 'The batch control system 18 controls manufacture in the process cell 14 through its interface to the control modules 38 within the process cell. Although each control module typically can be operated independently of all of the other control modules in the process cell, the logical grouping of the control modules 38 into the hierarchy of equipment modules 36, units 34, and process cells 14 provides for a more organized picture of the process equipment. This structure often simplifies the task of controlling a process to manufacture a product' of Brandl. 'Automatically obtaining a first transformed version of the configuration' of applicant is disclosed by 'A method is provided for automatically creating a set of master recipes from general recipe using site information' in combination with 'The following description will explain, in accordance with the preferred embodiments of the invention, how a set of master recipes will be created to perform the process of the general recipe of fig 13 in the process cell 14 of fig 12' of Brandl.)

Brandl does not teach generating, via a first set of instructions encoded in DHTML.

Moore teaches generating, via a first set of instructions encoded in DHTML. (Moore, ¶0291; 'Encoded in DHTML' of applicant is equivalent to using as a presentation language of DHTML of Moore.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings

of Brandl by using DHTML as taught by Moore to have generating, via a first set of instructions encoded in DHTML.

For the purpose of having dynamic use of the invention over the internet.

Brandl teaches a graphical user interface based on an automatically detected hierarchy among elements of the first transformed version of the configuration information (Brandl, fig, 70; 'Graphical user interface' of applicant is disclosed by a image of the graphical used interface used with Brandl.); transforming the first transformed version of the configuration information using user input to obtain a second transformed version of the information (Brandl, C33:55-65, 41:64 through C42:24; Examples of transforming the first transformed version of the configuration information' of applicant are 'The actual data structure, the units of measure used for the various pieces of data (such as pressures, temperatures, volumes, etc.), the information selected to be in the database, etc. are all matters of choice. In the preferred embodiments, the users select the units of measure to be used for each data type. The users preferably also select what information is included in the unit specific equipment information database and in the equipment requirements section of each recipe segment', 'The optimization information 132 may be user defined or it may be predefined, such as minimum number of material movements, minimum number of units used to perform the general recipe 44 in the process cell 14, or minimum cost of running a recipe segment 64' and 'Each of these blocks preferably allows the user to select whether the optimization algorithms associated with the block are activated or not' of Brandl.) the user input obtained via the graphical user interface the user input indicative

that a second set of DHTML instructions are is to be applied to obtain the second transformed version of the configuration information (Brandl, figures 70 and 71; 'Graphical user interface' of applicant is illustrated by the graphic user interfaces of these figures of Brandl.); and expressing the first transformed version and the second transformed version in a destination biopharmaceutical process control system, the biopharmaceutical process control system configured by the second transform version to control a biopharmaceutical process. (Brandl, C1:1-36, figures 70 and 71; 'Biopharmaceutical batch process control system' of applicant is disclosed by 'The process industry is the segment of industry which handles bulk materials, such as chemicals, food products, bulk polymeric materials, fuels, pharmaceuticals, etc., by processing input materials in a bulk manner to change their physical or chemical state to manufacture products' of Brandl. These figures of Brandl show the formula of 'product C' and the user is able to generate a second transformed version using the graphic interface.)

Claim 44

Brandl teaches means for obtaining configuration information from computer based validated biopharmaceutical batch process control system (Brandl, C1:1-36, C48:54 through C49:10; 'Biopharmaceutical batch process control system' of applicant is disclosed by 'The process industry is the segment of industry which handles bulk materials, such as chemicals, food products, bulk polymeric materials, fuels, pharmaceuticals, etc., by processing input materials in a bulk manner to change their

physical or chemical state to manufacture products' of Brandl. 'Obtaining configuration information' of applicant is illustrated by 'The file folders pane allows the user to select the elements of the recipe he wishes to view' of Brandl.) means for automatically obtaining based upon an automatically detected hierarchy among elements of the configuration information a first transformed version of the configuration information. (Brandl, abstract, C18:61 through C19:20; 'Automatically' of applicant is equivalent to 'automatically' of Brandl. 'Hierarchy among elements of the configuration information' of applicant is disclosed by 'The batch control system 18 controls manufacture in the process cell 14 through its interface to the control modules 38 within the process cell. Although each control module typically can be operated independently of all of the other control modules in the process cell, the logical grouping of the control modules 38 into the hierarchy of equipment modules 36, units 34, and process cells 14 provides for a more organized picture of the process equipment. This structure often simplifies the task of controlling a process to manufacture a product' of Brandl. 'Automatically obtaining a first transformed version of the configuration' of applicant is disclosed by 'A method is provided for automatically creating a set of master recipes from general recipe using site information' in combination with 'The following description will explain, in accordance with the preferred embodiments of the invention, how a set of master recipes will be created to perform the process of the general recipe of fig 13 in the process cell 14 of fig 12' of Brandl.)

Brandl does not teach means for generating, via a first set of instructions encoded in DHTML.

Moore teaches means for generating, via a first set of instructions encoded in DHTML. (Moore, ¶0291; 'Encoded in DHTML' of applicant is equivalent to using as a presentation language of DHTML of Moore.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl by using DHTML as taught by Moore to have means for generating, via a first set of instructions encoded in DHTML.

For the purpose of having dynamic use of the invention over the internet.

Brandl teaches a graphical user interface based on an automatically detected hierarchy among elements of the first transformed version of the configuration information (Brandl, fig, 70; 'Graphical user interface' of applicant is disclosed by a image of the graphical used interface used with Brandl.); means for transforming the first transformed version of the configuration information using user input to obtain a second transformed version of the configuration information (Brandl, C33:55-65, 41:64 through C42:24; Examples of transforming the first transformed version of the configuration information' of applicant are 'The actual data structure, the units of measure used for the various pieces of data (such as pressures, temperatures, volumes, etc.), the information selected to be in the database, etc. are all matters of choice. In the preferred embodiments, the users select the units of measure to be used for each data type. The users preferably also select what information is included in the unit specific equipment information database and in the equipment requirements section of each recipe segment', 'The optimization information 132 may be user defined or it may be predefined, such as minimum number of material movements, minimum number

of units used to perform the general recipe 44 in the process cell 14, or minimum cost of running a recipe segment 64' and 'Each of these blocks preferably allows the user to select whether the optimization algorithms associated with the block are activated or not' of Brandl.) the user input obtained via the graphical user interface the user input indicative that a second set of DHTML instructions are to be applied to obtain the second transformed version of the configuration information (Brandl, figures 70 and 71; 'Graphical user interface' of applicant is illustrated by the graphic user interfaces of these figures of Brandl.); and means for expressing the first transformed version and the second transformed version in a process control destination system, the process control destination system configured by the second transform version to control a process. (Brandl, C1:1-36, figures 70 and 71; 'Process control destination system' of applicant is disclosed by the example of 'The process industry is the segment of industry which handles bulk materials, such as chemicals, food products, bulk polymeric materials, fuels, pharmaceuticals, etc., by processing input materials in a bulk manner to change their physical or chemical state to manufacture products' of Brandl. 'Expressing the first transformed version and the second transformed version' of applicant is illustrated by the example of the formula of 'product C' and the user is able to generate a second transformed version using the graphic interface.)

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-4, 8, 12, 14, 15, 18, 19, 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brandl and Moore as set forth above, in view of Jayaram. (U. S. Patent 6996589, referred to as Jayaram)

Claim 2

Brandl and Moore do not teach converting the information into a common format.

Jayaram teaches converting the information into a common format. (Jayaram, C11:15-55; One example of a 'common format' of applicant is 'XML' of Jayaram. ) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by using a consistence format as taught by Jayaram to converting the information into a common format.

For the purpose of avoiding additional computing cost associated with two or more formats.

Claim 3

Brandl and Moore do teach converting the information into a user-definable syntax.

Jayaram teaches converting the information into a user-definable syntax. (Jayaram, C11:15-55; 'User definable syntax' of applicant is equivalent to 'configurable mapping language' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by altering information into a user familiar syntax as taught by Jayaram to converting the information into a user-definable syntax.

For the purpose of having the invention easier to use for the user due to the fact the user defines syntax is employed.

Claim 4

Brandl and Moore do not teach converting the information into XML.

Jayaram teaches converting the information into XML. (Jayaram, C11:15-55; One example of a 'XML' of applicant is 'XML' of Jayaram. ) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by using XML as taught by Jayaram to converting the information into XML.

For the purpose of using an industrial standard code for ease of implementation across multiple platforms.

Claim 8

Brandl and Moore do not teach expressing the information in an XML syntax.

Jayaram teaches expressing the information in an XML syntax. (Jayaram, C11:15-55; One example of a 'XML' of applicant is 'XML' of Jayaram. ) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by using XML taught by Jayaram to expressing the information in an XML syntax.

For the purpose of using an industrial standard code for ease of expression across multiple platforms.

Claim 12

Brandl and Moore do not teach generating a plurality of options adapted for use in translation of an element of the information.

Jayaram teaches generating a plurality of options adapted for use in translation of an element of the information. (Jayaram, C13:1-47; 'Options' of applicant is equivalent to 'commands' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by having options as taught by Jayaram to generating a plurality of options adapted for use in translation of an element of the information.

For the purpose of being able to generate options for obtaining different translations as needed.

Claim 14

Brandl and Moore do not teach creating graphical user interface elements adapted to present a plurality of options for translating an element of the information.

Jayaram teaches creating graphical user interface elements adapted to present a plurality of options for translating an element of the information. (Jayaram, C13:1-47; 'Options' of applicant is equivalent to 'commands' of Jayaram. 'Graphical user interface' of applicant is equivalent to 'GUI' of Jayaram. Jayaram illustrates that instructions may be entered by the GUI.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by being able to view the options as taught by Jayaram to creating graphical user interface elements adapted to present a plurality of options for translating an element of the information.

For the purpose of being able to view the possible options to use for translation functions.

Claim 15

Brandl and Moore do not teach presenting a plurality of options adapted for use in translation of an element of the information.

Jayaram teaches presenting a plurality of options adapted for use in translation of an element of the information. (Jayaram, C13:1-47; 'Presenting a plurality of options of applicant is equivalent to 'constructs in a selectable list' of Jayaram.) It would have

been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by displaying the options as taught by Jayaram to presenting a plurality of options adapted for use in translation of an element of the information.

For the purpose of being able to employ the possible options to use for translation functions.

Claim 18

Brandl and Moore do not teach presenting in the graphical user interface a plurality of options adapted for use in translation of an element of the information.

Jayaram teaches presenting in the graphical user interface a plurality of options adapted for use in translation of an element of the information. (Jayaram, C13:1-47; 'Graphical user interface' of applicant is equivalent to 'GUI' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by combining the GUI and the generated options as taught by Jayaram to presenting in the graphical user interface a plurality of options adapted for use in translation of an element of the information.

For the purpose of reducing the effort to employ the options by using a GUI.

Claim 19

Brandl and Moore do not teach receiving a user-selected option from a plurality of options adapted for use in translation of an element of the information.

Jayaram teaches receiving a user-selected option from a plurality of options adapted for use in translation of an element of the information. (Jayaram, C13:1-47; 'Translating an element of the information' of applicant is equivalent to 'the GUI may further include a mapping language parser to ensure that any mapping dependency constraints are fulfilled' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by being able to accept input as taught by Jayaram to receiving a user-selected option from a plurality of options adapted for use in translation of an element of the information.

For the purpose of having the invention take in input from the user so that the user can chose which translation options are desired.

Claim 23

Brandl and Moore do not teach tracking received user input adapted for use in translation of an element of the information.

Jayaram teaches tracking received user input adapted for use in translation of an element of the information. (Jayaram, C21:34-52; 'Tracking' of applicant is equivalent to 'tracking are published' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of

Brandl and Moore by keeping a log as taught by Jayaram to tracking received user input adapted for use in translation of an element of the information.

For the purpose of aiding the user by avoiding duplicate translation request.

Claim 24

Brandl and Moore do not teach providing an audit trail of the user input relating to a translation of an element of the information.

Jayaram teaches providing an audit trail of the user input relating to a translation of an element of the information. (Jayaram, C21:34-52; 'Providing an audit trail' of applicant is equivalent to 'tracking are published' of Jayaram. This is due to the specification 'user input can be tracked, thereby providing an audit trial of user input.') It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by having audit trail generated as taught by Jayaram to providing an audit trail of the user input relating to a translation of an element of the information.

For the purpose of keeping track of the cost for the translations of the invention for possible display to the user.

Claim 25

Brandl and Moore do not teach providing an audit trail of the user input.

Jayaram teaches providing an audit trail of the user input. (Jayaram, C21:34-52; 'Providing an audit trail' of applicant is disclosed by 'tracking are published through a report' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by outputting the audit trail as taught by Jayaram to providing an audit trail of the user input.

For the purpose of displaying the cost of the translation to the user so that the user can use this information to avoid audit trail costs thresholds.

Claim 26

Brandl and Moore do not teach repeating said applying activity.

Jayaram teaches repeating said applying activity. (Jayaram, Figure 9; 'Repeating said applying activity' of applicant is equivalent to the 'fail' arrow from 'business requirement compliance check' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by allowing to repeat steps as taught by Jayaram to repeating said applying activity.

For the purpose of repeating a step if required so that a desired result can occur.

Claim 27

Brandl and Moore do not teach repeating said transforming activity.

Jayaram teaches repeating said transforming activity. (Jayaram, Figure 9; 'Repeating said transforming activity' of applicant is equivalent to 'the 'fail' arrow from the 'database attribute compliance check' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by being able to repeat a transformation as taught by Jayaram to repeating said transforming activity.

For the purpose of employing an iteration technique for a desired result.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandl and Moore as set forth above, in view of Payson. (U. S. Patent 6289266, referred to as Payson)

Claim 5

Brandl and Moore do not teach importing the first transformed version into the destination system, the first transformed version obtained from a Bailey INFI-90 configuration database.

Payson teaches importing the first transformed version into the destination system, the first transformed version obtained from a Bailey INFI-90 configuration database. (Payson, C5:1-5; 'Bailey INFI-90' of applicant is equivalent to 'INFI 90 available from Bailey' of Payson.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by using hardware as taught by Payson to importing the first transformed version into the destination system, the first transformed version obtained from a Bailey INFI-90 configuration database.

For the purpose of using established hardware with proved results and compatibility history.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was made.

Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandl and Moore as set forth above, in view of Talanis. (U. S. Patent Publication 20010047420, referred to as Talanis)

Claim 6

Brandl and Moore do not teach importing the second transformed version into the destination system the second transformed version comprising configuration elements associated with a WinCC operator console.

Talanis teaches importing the second transformed version into the destination system the second transformed version comprising configuration elements associated with a WinCC operator console. (Talanis, ¶0013; 'WinCC' of applicant is equivalent to 'WinCC' of Talanis.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by using WinCC as taught by Talanis to have importing the second transformed version into the destination system the second transformed version comprising configuration elements associated with a WinCC operator console.

For the purpose of using an established software package as WinCC for importing transforms versions with known reliability and results.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandl and Moore as set forth above, in view of Mylopoulos. ('Knowbel: A Hybrid tool for building expert systems', referred to as Mylopoulos)

Claim 7

Brandl and Moore do not teach parsing the information, the information obtained from an APACS control system configuration database.

Mylopoulos teaches parsing the information, the information obtained from an APACS control system configuration database. (Mylopoulos, p22, C2:8 through p23, C1:51) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by using APACS

as taught by Mylopoulos to have parsing the information, the information obtained from an APACS control system configuration database.

For the purpose of using established hardware with known reliability and performance for obtaining accurate results.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 16, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandl and Moore as set forth above, in view of the combination of Koizumi and Jayaram. (U. S. Patent Publication 20020026633, referred to as Koizumi; U. S. Patent 6996589, referred to as Jayaram)

Claim 16

Brandl and Moore do not teach presenting to each of a plurality of users, a plurality of options adapted for use in translation of an element of the information.

Koizumi teaches presenting to each of a plurality of users. (Koizumi, ¶0380; 'Plurality of users' of applicant is disclosed by the delivery of the object program to the users of Koizumi.) Jayaram teaches a plurality of options adapted for use in translation of an element of the information. (Jayaram, C13:1-47; 'Plurality of options' of applicant is equivalent to 'commands' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by presenting multiple options to multiple users as taught by Koizumi and Jayaram to presenting to each of a plurality of users, a plurality of options adapted for use in translation of an element of the information.

For the purpose of dividing the work tasks into different sections for increased productivity per time.

Claim 17

Brandl and Moore do not teach presenting to each of a plurality of users, a plurality of options adapted for use in translation of an element of the information, the plurality of options and the information element differing for each of the plurality of users.

Koizumi teaches presenting to each of a plurality of users. (Koizumi, ¶0380; 'Plurality of users' of applicant is disclosed by the delivery of the object program to the users of Koizumi.) Jayaram teaches a plurality of options adapted for use in translation of an element of the information, the plurality of options and the information element differing for each of the plurality of users. (Jayaram, C13:1-47, abstract; 'Presenting a plurality of options of applicant is equivalent to 'constructs in a selectable list' of Jayaram. 'Translating an element' of applicant is disclosed by the 'database conversion engine' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by presenting multiple options of translations to multiple users as taught by Koizumi and Jayaram to presenting to each of a plurality of users, a plurality of options adapted for use in translation of an element of the information, the plurality of options and the information element differing for each of the plurality of users.

For the purpose of obtaining different translations for different users, such that user specialization can be utilized.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 21, 28-33, 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandl and Moore as set forth above, in view of Nixon. (U. S. Patent Publication 20020077711, referred to as Nixon)

Claim 21

Brandl and Moore do not teach receiving input from each of a plurality of users regarding each user's preference adapted for use in translation of an element of the information.

Nixon teaches receiving input from each of a plurality of users regarding each user's preference adapted for use in translation of an element of the information. (Nixon, ¶0048; 'Plurality of users' of Nixon is equivalent to 'one or more users' of Nixon. 'Receiving input from each of a plurality of users' of applicant is equivalent to 'each user interface routine can receive' of Nixon. 'Preference adapted for use in translation' of applicant is equivalent to 'information from the asset utilization suite' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by inputting multiple users translation request as taught by Nixon to receiving input from each of a plurality of users

regarding each user's preference adapted for use in translation of an element of the information.

For the purpose of a multiple of users being able to input data so that each user can receive outputs from their specific requests.

Claim 28

Brandl and Moore do not teach providing a view of the destination system.

Nixon teaches comprising providing a view of the destination system. (Nixon, ¶0125; 'Providing a view' of applicant is equivalent to 'graphical views' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by providing output as taught by Nixon to have a view of the destination system.

For the purpose of seeing the interface of the system and the results of the translation which are imposed on the destination system.

Claim 29

Brandl and Moore do not teach providing a plurality of differing views of the destination system, each of the plurality of differing views corresponding to a different use for the destination system.

Nixon teaches providing a plurality of differing views of the destination system, each of the plurality of differing views corresponding to a different use for the destination system. (Nixon, ¶0125; 'Plurality of differing views' of applicant is equivalent to 'one or more pull down menus' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by providing multiple views as taught by Nixon to have a plurality of differing views of the destination system, each of the plurality of differing views corresponding to a different use for the destination system.

For the purpose of each user having their own view, due to the logic it would hinder the user to see results of other views which are of no concern to the user.

Claim 30

Brandl and Moore do not teach presenting in the graphical user interface the information and the second transformed version.

Nixon teaches presenting in the graphical user interface the information and the second transformed version. (Nixon, ¶0125, ¶0048; 'Graphical user interface' of applicant is equivalent to 'GUI' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by using GUI interface as taught by Nixon to have in the graphical user interface the information and the second transformed version.

For the purpose of using a GUI which allows for increase of ease of use for the user.

Claim 31

Brandl and Moore do not teach receiving input from each of a plurality of users regarding each user's preference adapted for use in translation of an element of the information.

Nixon teaches receiving input from each of a plurality of users regarding each user's preference adapted for use in translation of an element of the information. (Nixon, ¶0048; 'Plurality of users' of Nixon is equivalent to 'one or more users' of Nixon. 'Receiving input from each of a plurality of users' of applicant is equivalent to 'each user interface routine can receive' of Nixon. 'Preference adapted for use in translation' of applicant is equivalent to 'information from the asset utilization suite' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by having multiple users input e allowed as taught by Nixon to have receiving input from each of a plurality of users regarding each user's preference adapted for use in translation of an element of the information.

For the purpose of allowing the user to dictate translation needs thus permitting the user to focus in on specific translation elements.

Claim 32

Brandl and Moore do not teach wherein the second transformed version is based on the first transformed version.

Nixon teaches wherein the second transformed version is based on the first transformed version. (Nixon, ¶0088; 'Second transformed version based on the first' of applicant can be seen as the 'hierarchy represents' of a user.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by altering an existing interface as taught by Nixon to have the second transformed version is based on the first transformed version.

For the purpose of updating an interface for greater or lesser content for increased accuracy of field of use.

Claim 33

Brandl and Moore do not teach wherein the second transformed version is not based on the first transformed version.

Nixon teaches wherein the second transformed version is not based on the first transformed version. (Nixon, ¶0048; 'Not based on the first transform' of applicant is equivalent to 'different sets' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by generating a new interface as taught by Nixon to have the second transformed version is not based on the first transformed version.

For the purpose of looking at a completely different interface if needed to observe different scenarios for other solutions which are outside a specific domain.

Claim 36

Brandl and Moore do not teach wherein at least one of the first plurality of patterns is a set.

Nixon teaches wherein at least one of the first plurality of patterns is a set. (Nixon, ¶0048; 'Patterns is a set' of applicant is disclosed by 'different sets' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by having information in a set as taught by Nixon to have at least one of the first plurality of patterns is a set.

For the purpose of using set theory in a abstract way to reduce input parameters or established scenarios for greater efficiency.

Claim 37

Brandl and Moore do not teach wherein at least one of the first plurality of patterns is a hierarchy.

Nixon teaches wherein at least one of the first plurality of patterns is a hierarchy. (Nixon, ¶0088; 'Patterns is a hierarchy' of applicant can be seen as the 'hierarchy represents' of a user.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by having a hierarchy structure in patterns as taught by Nixon to have wherein at least one of the first plurality of patterns is a hierarchy.

For the purpose of looking at hierarchy patterns related in a processing structure for increased understanding of an overall pattern.

Claim 38

Brandl and Moore do not teach wherein at least one of the first plurality of patterns is a naming convention.

Nixon teaches wherein at least one of the first plurality of patterns is a naming convention. (Nixon, Fig. 8; "naming convention' of applicant is illustrated by the examples of 'Mixing-reagent1', 'Mixer-in1', 'Mixer-reagent2', 'Mixer-in2', 'Mixer-feed', 'Mixer-in', ''Static mixer' and 'Mixer-out' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by using naming conventions as taught by Nixon to have at least one of the first plurality of patterns is a naming convention.

For the purpose of ease of search based on the name of patterns.

Claim 39

Brandl and Moore do not teach wherein the user input is derived from input from a first user and input from a second user.

Nixon teaches wherein the user input is derived from input from a first user and input from a second user. (Nixon, ¶0048; Nixon discloses that one or more users can subscribe to the same or different sets of data.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by having multiple users work on each other's input as taught by Nixon to have wherein the user input is derived from input from a first user and input from a second user.

For the purpose of being to modify each other work for improved results.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandl and Moore as set forth above, in view the combination of Koizumi and Betawar. (U. S. Patent Publication 20020026633, referred to as Koizumi; U. S. Patent Publication 20020055804, referred to as Betawar)

Claim 22

Brandl and Moore do not teach receiving input from each of a plurality of users regarding each user's preference for translating an element of the information, a first user's preference overriding a second user's preference.

Koizumi teaches receiving input from each of a plurality of users (Koizumi, ¶0380; 'Plurality of users' of applicant is disclosed by the delivery of the object program

to the users of Koizumi.) Betawar teaches regarding each user's preference for translating an element of the information, a first user's preference overriding a second user's preference. (Betawar, ¶0057; In this example, 'First user' of applicant is equivalent to 'engineering supervisors of Betawar. Second user of applicant is equivalent to 'lower level line engineers'.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by having multiple users in which one user can override another input as taught by Koizumi and Betawar to receiving input from each of a plurality of users regarding each user's preference for translating an element of the information, a first user's preference overriding a second user's preference.

For the purpose of having more than one person being able to override a preference for increased accuracy or prevention of an error.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was made.

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandl and Moore as set forth above, in view of Koizumi. (U. S. Patent Publication 20020026633, referred to as Koizumi)

Claim 34

Brandl and Moore do not teach wherein a pattern matching rule from the first plurality of pattern matching rules is based on a plurality of knowledge elements and at least one known relationship between the plurality of knowledge elements, each of the plurality of knowledge elements identifiable as an entity in the information.

Koizumi teaches wherein a pattern matching rule from the first plurality of pattern matching rules is based on a plurality of knowledge elements and at least one known relationship between the plurality of knowledge elements, each of the plurality of knowledge elements identifiable as an entity in the information. (Koizumi; ¶0054; 'Pattern matching rule' of applicant is equivalent to 'translation rules' of Koizumi. 'Knowledge elements' and 'known relationship' of applicant is illustrated by the function of the ARM (abstract register machine) of Koizumi.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by using rules based on knowledge elements as taught by Koizumi to a pattern matching rule from the first plurality of pattern matching rules is based on a plurality of knowledge elements and at least one known relationship

between the plurality of knowledge elements, each of the plurality of knowledge elements identifiable as an entity in the information.

For the purpose of using rules that follow elements and there relationship between them which aids in viewing patterns as clusters (or relationships) and thus using rules only associated with a specific cluster (or relationship) and the associated efficiency.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandl and Moore as set forth above, in view Betawar. (U. S. Patent Publication 20020055804, referred to as Betawar)

Claim 40

Brandl and Moore do not teach wherein the user input is derived from input from a first user and input from a second user, the first user occupying a different position in a value chain than the second user.

Betawar teaches wherein the user input is derived from input from a first user and input from a second user, the first user occupying a different position in a value chain than the second user. (Betawar, ¶0057; 'First user' of applicant is equivalent to 'lower level line engineers' of Betawar. 'Input is derived' and 'input from a second user' of applicant is illustrated by the supervisor being able to edit parameters.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by users having different authority positions as taught by Betawar to wherein the user input is derived from input from a first user and input from a second user, the first user occupying a different position in a value chain than the second user.

For the purpose of having the role of supervisor incorporated within the specification for increased accuracy.

Claim 41

Brandl and Moore do not teach wherein the user input is derived from input from a first user and input from a second user, the first user occupying a different position in a business process than the second user.

Betawar teaches wherein the user input is derived from input from a first user and input from a second user, the first user occupying a different position in a business

process than the second user. (Betawar, ¶0057; 'Different position' of applicant is equivalent to the difference 'lower level line engineers' and 'engineering supervisors' of Betawar.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by having users at different authority levels as taught by Betawar to have wherein the user input is derived from input from a first user and input from a second user, the first user occupying a different position in a business process than the second user.

For the purpose of having the role of supervisor incorporated in a business setting within the specification for increased profits.

Claim 42

Brandl and Moore do not teach wherein the user input is derived from input from a first user and input from a second user, at least a portion of the input from the second user altering at least a portion of the input from the first user.

Betawar teaches wherein the user input is derived from input from a first user and input from a second user, at least a portion of the input from the second user altering at least a portion of the input from the first user. (Betawar, ¶0057; 'First user' of applicant is equivalent to 'lower level line engineers' of Betawar. 'Input is derived' and 'input from a second user' of applicant is illustrated by the supervisor being able to edit parameters.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Brandl and Moore by having the supervisor being able to alter input of another user as taught by Betawar to have

wherein the user input is derived from input from a first user and input from a second user, at least a portion of the input from the second user altering at least a portion of the input from the first user.

For the purpose of the supervisor or making changes on lower level users input for modification or alteration for increased accuracy.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brandl and Moore as set forth above, in view Hill. ('Yahoo for dummies', referred to as Hill)

Claim 45

Brandl and Moore do not teach automatically detecting the hierarchy among elements of the configuration information based upon a naming convention suggests a relationship between elements of the hierarchy, the second transform version transformed from the first transformed version via: cascade rules that apply increasing

domain specific translation rules; and a contextual graphical user interface in parallel with an incomplete translation, the contextual graphical user interface adapted to allow a customer to assist in the translation.

Hill teaches automatically detecting the hierarchy among elements of the configuration information based upon a naming convention suggests a relationship between elements of the hierarchy, the second transform version transformed from the first transformed version via: cascade rules that apply increasing domain specific translation rules; and a contextual graphical user interface in parallel with an incomplete translation, the contextual graphical user interface adapted to allow a customer to assist in the translation. (Hill, p115 through 124; 'Automatically detecting the hierarchy among elements' of applicant is the result of a search request by the Yahoo search engine. The more terms used for the search engine (domain), the smaller the results (range) (Hill, p117) The 'elements of the configuration information based upon a naming convention' of applicant is disclosed by the search term 'Anthony Hopkins' of Hill. (Hill, Fig 7-4) Where 'a naming convention suggests a relationship between the elements of the hierarchy' of applicant is disclosed by the search results of 'Anthony Hopkins' and the search results of 'Actors_and_Actresses' and 'Anthony Hopkins.' (Hill, fig 7-4, 7-5.) 'Cascade rules' which increase domain specific translation rules are inherent with the decreased range of results with more specific search terms. (Hill, fig 7-4, 7-5.) A 'contextual graphical user interface' of applicant is illustrated by the Yahoo page of Figure 7-4. An 'incomplete translation' which allow a customer to assist in the translation is disclosed by the 11 matches of the search term of 'Anthony Hopkins.' This allows the

user to choose one of the eleven categories, or switch to 'web sites', 'web pages', related news' or 'net events.' (Hill, figure 7-4.)) It would have been obvious to one skilled with the art to modify the teachings of Brandl and Moore to use normal internet search principles as taught by Hill to automatically detecting the hierarchy among elements of the configuration information based upon a naming convention suggests a relationship between elements of the hierarchy, the second transform version transformed from the first transformed version via: cascade rules that apply increasing domain specific translation rules; and a contextual graphical user interface in parallel with an incomplete translation, the contextual graphical user interface adapted to allow a customer to assist in the translation.

For the purpose of using additional terms which narrow the scope of the domain which yields better results.

*Response to Arguments*

6. Applicant's arguments filed on January 9, 2009 for claims 1-44, 46 have been fully considered but are not persuasive.

7. In reference to the Applicant's argument:

REMARKS

Applicant respectfully thanks the Examiner for the consideration provided to this application, and respectfully requests reconsideration of this application.

Each of claims 1, 13, 43, and 44 has been amended for at least one reason unrelated to patentability, including at least one of: to explicitly present one or more elements, limitations, phrases, terms and/or words implicit in the claim as originally written when

viewed in light of the specification, thereby not narrowing the scope of the claim; to detect infringement more easily; to enlarge the scope of infringement; to cover different kinds of infringement (direct, indirect, contributory, induced, and/or importation, etc.); to expedite the issuance of a claim of particular current licensing interest; to target the claim to a party currently interested in licensing certain embodiments; to enlarge the royalty base of the claim; to cover a particular product or person in the marketplace; and/or to target the claim to a particular industry.

Claims 1-44 and 46 are now pending in this application. Each of claims 1,43, and 44 is in independent form.

I. The Anticipation Rejections

Each of claims I, 20, 43, and 44 was rejected as anticipated, and thus unpatentable, under 35 U.S.C. 102(b). In support of the rejection, various portions of U.S. Patent 7,020,876 ("Deitz") were applied. These rejections are respectfully traversed as moot in view of the present amendments to each of claims 1, 43, and 44.

Specifically, each of claims 1, 43, and 44, from one of which claim 20 ultimately depends, states, inter alia, yet no substantial evidence has been presented that the applied portions of Dietz teach, "based upon an automatically detected hierarchy among elements of the configuration information", "automatically obtaining", "a first transformed version of the configuration information".

In addition, each of claims I, 43, and 44, from one of which claim 20 ultimately depends, states, inter alia, yet no substantial evidence has been presented that the applied portions of Dietz teach, "generating", "via a first set of instructions encoded in DHTML". "a graphical user interface based on an automatically detected hierarchy among elements of the first transformed version of the configuration information".

In addition, each of claims 1, 43, and 44, from one of which claim 20 ultimately depends, states, inter alia, yet no substantial evidence has been presented that the applied portions of Dietz teach, "the user input indicative that a second set of DHTML instructions are to be applied to obtain the second transformed version of the configuration information".

For at least these reasons, it is respectfully submitted that the rejection of claims 1, 43, and 44 is unsupported by Dietz and should be withdrawn. Also, the rejection of claim 20, ultimately depending from one of independent claims 1, 43, or 44, is unsupported by Dietz and also should be withdrawn.

Examiner's response:

In light of the amended claims, the Examiner used the reference Brandl in combination with Moore to reject the independent claims under 35 USC 103.

8. In reference to the Applicant's argument:

II. The Obviousness Rejections

Each of claims 2-19, 21-42, and 46 was rejected under 35 U.S.C. 103(a) as being obvious, and thus unpatentable, over various combinations of U.S. Patent 7,020,876 ("Deitz"), U.S. Patent 6,996,589 ("Jayaram"), U.S. Patent 6,289,266 ("Payson"), U.S. Publication 200t/0047420 ("Talanis"), a paper, John Mylopoulos, Huaiqing Wang, and Bryan Kramer, "Knowbel: A Hybrid tool for building expert systems", IEEE, February 1993, ("Mylopoulos"), U.S. Patent 20010056429 ("Moore"), U.S. Publication 2002/0026633 ("Koizumi"), U.S. Publication 2002/0077711 ("Nixon"), U.S. Publication 2002/0055804 ("Betawar"), and/or portions of the book "Yahoo For Dummies" ("Hill). Each of these rejections is respectfully traversed.

A. Legal Standards

1.
Overview of Prima Facie Criteria for an Obviousness Rejection
The Patent Act, namely, 35 U.S.C. 103, forbids issuance of a patent when "the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art."

Relatively recently, in KSR International Co. v. Teleflex, Inc., 550 U.S. 398 (2007), the Supreme Court interpreted this law while highlighting the typical invention process. "Inventions usually rely upon building blocks long since uncovered, and claimed discoveries almost necessarily will be combinations of what, in some sense, is already known" Yet, to properly apply § 103, the Court recognized the need to filter, via obviousness analyses, true inventions from mere ordinary technological advances. "Granting patent protection to advances that would occur in the ordinary course without real innovation retards progress and may, in the case of patents combining previously known elements, deprive prior inventions of their value or utility."

Obviousness is a legal question based on underlying factual findings. In re Gartside, 203 F.3d 1305, 1316 (Fed. Cir. 2000). In Graham v. John Deere Co., 383 U.S. 1,148 USPQ 459 (1966), the Supreme Court established factors regarding the factual inquiry required to establish obviousness. The factors include:

1. determining the scope and contents of the prior art;
2. ascertaining differences between the prior art and the claims at issue;
3. resolving the level of ordinary skill in the pertinent art; and
4. considering objective evidence indicating obviousness or nonobviousness.

Thus, factual determinations include, inter alia, the scope and content of the prior art, the level of skill in the art at the time of the invention, the objective evidence of nonobviousness, the presence or absence of a reason to combine, and whether a reference constitutes analogous prior art. See In re Biggio, 381 F.3d 1320, 1324 (Fed. Cir. 2004); Gartside, 203 F.3d at 1316; Para- Ordinance Mfg. v. SGS Imps. Int'l., 73 F.3d 1085, 1088 (Fed. Cir. 1995); In re GPAC, Inc., 57 F.3d 1573, 1577 (Fed. Cir. 1995). "What the prior art teaches and whether it teaches toward or away from the claimed invention also is a determination of fact." Para Ordinance Mfg., 73 F.3d at 1088 (citing In re Bell, 991 F.2d 781,784 (Fed. Cir. 1993)).

KSR warned that 'a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art". Instead, "[i]n determining whether the invention as a whole would have been obvious under 35 U.S.C. 103, we must first delineate the invention as a whole. In delineating the invention as a whole, we look not only to the subject matter which is literally recited in the claim in question.., but also to those properties of the subject matter which are inherent in the subject matter and are disclosed in the specification... Just as we look to a chemical and its properties when we examine the obviousness of a composition of matter claim, it is this invention as a whole, and not some pan of it, which must be obvious under 35 U.S.C. 103." In reAntonie, 559 F.2d 618, 620, 195 USPQ 6,8 (CCPA t 977) (emphasis in original).

Regarding proposed combinations of prior art,/~R clarified that the "It]he question is not whether the combination was obvious to the patentee but whether the combination was obvious to a person with ordinary skill in the art". Thus, in determining obviousness, both KSR and Graham warned against a "temptation to read into the prior art the teachings of the invention in issue" and instruct to "'guard against slipping into the use of hindsight'".

To guard against hindsight, KSR explained the "importance" of "identif3,[ing] a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the ~ the claimed new invention does" (emphasis added). That is, "rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness" (quoting In re Kahn, 441 F. 3d 977, 988 (Fed. Cir. 2006) (emphasis added). Thus, "[t]o facilitate review, this analysis should be made explicit".

Explaining the need for "a reason that would have prompted a person of ordinary skill",

KSR further taught that "if a technique has been used to improve one device, and a person of ordinary skill in the art would recognize that it would improve similar devices in the same way, using the technique is obvious unless its actual application is beyond his or her skill" (emphasis added). Further exploring this mandate, the Federal Circuit has held that "knowledge of a problem and motivation to solve it are entirely different from motivation to combine particular references". Innogenetics v. Abbott Laboratories (Fed. Cir. 2007-1145) (8 January 2008).

Thus, according to the Supreme Court, a proper obviousness rejection must "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does" and must present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination. It follows that if the alleged reason t~r making the particular combination of features is not evidenced to be art-recognized, then that reason must be based on hindsight.

In addition to establishing a proper reason to combine, a proper obviousness rejection must clearly identify proposed reference(s) that:

1. are pertinent;
2. provide a reasonable expectation of success; and
3. teach.., all the claim limitations

See MPEP 2143; MPEP 2143.03, In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991 ); and additional citations infra.

The Federal Circuit has further held that "[w]hen there is a design need or market pressure to solve a problem", obviousness is not supported unless "a finite, and in the context of
the art, small or easily traversed, number of options .... would convince an ordinarily skilled artisan of obviousness . Ortho-McNeil Pharmaceutical Inc. v. Mylan laboratories Inc., 520F.3d 1358 (Fed. Cir. 2008).

Consistent with other patentability rejections, to establish a primafacie case of obviousness, substantial evidence must be provided that fulfills the mandates of the applicable law. The "Patent Office has the initial duty of supplying the factual basis for its rejection." In re Warner, 379 F.2d 1011, 154 USPQ 173, 178 (CCPA 1967), cert. denied, 389 U.S. 1057, reh'g denied, 390 U.S. 1000 (1968). "It may not.., resort to speculation, unfounded assumptions or hindsight reconstruction to supply deficiencies in its factual basis". Id.

It is legal error to "substitute[] supposed per se rules for the particularized inquiry required by section 103. It necessarily produces erroneous results." See, In re Ochiai,

71 F.3d 1565, 1571, 37 USPQ2d 1127, 1132-33 (Fed. Cir. 1998); In re Wright, 343 F.2d 761,769-770, 145 USPQ 182, 190 (CCPA 1965).

"Once the examiner.., carries the burden of making out a prirnafacie case of unpatentability, 'the burden of coming forward with evidence or argument shifts to the applicant.'" In re Alton, 76 F.3d 1168, 37 USPQ2d 1578 (Fed. Cir. 1996) (quoting In re Oetiker, 977 F.2d at 1445, 24 USPQ2d at 1444).

2.
Claim Construction

Before the primafacie obviousness criteria can be applied, the words of each claim must be inte1~reted. The Federal Circuit, in Phillips v. AWh" Corp., 415 F.3d 1303, 75 USPQ2d 1321 (Fed. Cir. 2005) (en bane), cert. denied, 546 U.S. 1170, 126 S.Ct. 1332, 164 L.Ed.2d 49 (2006) clarified that:

1. "[t]he Patent and Trademark Office ('PTO') determines the scope of claims in patent applications not solely on the basis of the claim language, but upon giving claims their broadest reasonable construction 'in light of the specification as it would be interpreted by one of ordinary skill in the art'" (Id. at 1316);

2. the words of a claim "are generally given their ordinary and customary meaning" (Id. at 1312);

3. the ordinary and customary meaning of a claim term is "the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention, i.e., as of the effective filing date of the patent application" (Id. at 1313);

4. "the person of ordinary skill in the art is deemed to read the claim term not only in the context of the particular claim in which the disputed term appears, but in the context of the entire patent, including the specification" (Id.);

5. even "the context in which a term is used in the asserted claim can be highly instructive" (1(t. at 1314);

6. "the specification may reveal a special definition given to a claim term by the patentee that differs from the meaning it would otherwise possess. In such cases, the inventor's lexicography governs" (Id. at 1316);

7. even "when guidance is not provided in explicit definitional format, the specification may define claim terms by implication such that the meaning may be found in or ascertained by a reading of the patent documents" (Id. at 1321);

8. an "invention is construed not only in the light of the claims, but also with reference to

the file wrapper or prosecution history in the Patent Office" (Id. at 1317 (citing Graham v. John Deere Co., 383 U.S. 1, 33 (1966))); and

9. the "prosecution history.., consists of the complete record of the proceedings before the PTO and includes the prior art cited during the examination of the patent" (Id. at 1317).

The rules established in Phillips apply to exparte examination in the USPTO. See, In re Kumar, 418 F.2d 1361 (Fed. Cir. 2005).

3.
Unfounded Assertions of Knowledge

Deficiencies of the cited references can not be remedied by general conclusions about what is basic knowledge or common sense to one of ordinary skill in the art. In re Zurko, 258 F.3d 1379, 1385-86 (led. Cir. 2001 ). An assessment of basic knowledge and common sense that is not based on any evidence in the record lacks substantial evidence support, Id. That is, such unfounded assertions are not permissible substitutes Ibr evidence. See, In re Lee, 277 F.3d 1338, 1435, 61 USPQ2d 1430, 1435 (Fed. Cir. 2002).

4.
The Applied Reference(s) Must Present All Claim Limitations
"To establish a prima facie case of obviousness.., the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP 2143.
The proposed modification or combination must provide the structure recited in the claims and produce the result attained by that structure. See In re Schulpen, 390 F.2d 1009 (C.C.P.A., 1968).

5.
The Applied Reference(s) Must Be Enabling
"In order to render a claimed apparatus or method obvious, the prior art must enable one
skilled in the art to make and use the apparatus or method." Rockwell Int'l Corp. v. U.S., 147 F.2d 1358, 47 USPQ2d 1027 (Fed. Cir. 1998); Motorola, Inc. v. Interdigital Tech. Corp., 121 F.3d 1461, 1471,43 USPQ2d 1481, 1489 (Fed. Cir. 1997); Beckman Instruments, Inc. v. LKB ProdukterAB, 892 F.2d 1547, 1551, 13 USPQ2d 1301, 1304 (Fed. Cir. 1989); In re Johnston, 435 F.3d 1381 (Fed. Cir. 2006).

Examiner's response:

All of the references which are used in the dependent claims are related to the filed of computer science. Many of the dependent claims recite specific control systems, computer languages, or operator console, but they all remain within the domain of typical computer science knowledge. The Examiner sees no problem with combining references related to computer science with a invention related to computer science.

9. In reference to the Applicant's argument:

6.
Next Office Action
If an Office Action fails to set forth sufficient facts to provide aprimafacie basis for the rejections, any future rejection based on the applied reference will necessarily be factually based on an entirely different portion of that reference, and thus will be legally defined as a "new grounds of rejection." Consequently, any Office Action containing such rejection can not properly be made final. See, In re Wiechert, 152 USPQ 247, 251-52 (CCPA 1967) (defining "new ground of rejection" and requiting that "when a rejection is factually based on an entirely different portion of an existing reference the appellant should be aftorded an opportunity to make a showing of unobviousness vis-a-vis such portion of the reference"), and In re Warner, 379 F.2d 10l 1, 154 USPQ 173, 178 (CCPA 1967) (the USPTO "has the initial duty of supplying the factual basis lbr its rejection").

B. Analysis

1.
Claims 2-19, 21-42
Claim 1, from which each of claims 2-19 and 21-42 ultimately depends, states, inter alia, yet no substantial evidence has been presented that the applied portions of the cited references teach (i.e., disclose and/or enable), alone or in combination, "based upon an automatically detected hierarchy among elements of the configuration information", "automatically obtaining", % first transformed version of the configuration information".

In addition, claim 1, from which each of claims 2-19 and 21-42 ultimately depends, states, inter alia, yet no substantial evidence has been presented that the applied portions of the cited references teach (i.e., disclose and/or enable), alone or in combination, "generating", "via a first set of instructions encoded in DHTML", % graphical user interface based on an automatically detected hierarchy among elements of the first transformed version of the configuration information".

In addition, claim 1, from which each of claims 2-19 and 21-42 ultimately depends, states, inter alia, yet no substantial evidence has been presented that the applied portions of the cited references teach (i.e., disclose and/or enable), alone or in combination, "the user input indicative that a second set of DHTML instructions are to be applied to obtain the second transformed version of the configuration information".

Thus, even if there were proper evidence of obviousness presented in the Office Action (an assumption that is respectfully traversed), and even if there were a reasonable expectation of success in modi~'ing the applied portions of reference relied upon in the Office Action (another assumption that is respectfully traversed), no substantial evidence has been presented that the applied portions of the reference relied upon in the Office Action, as attempted to be modified, expressly or inherently teach every limitation of claim 1 (and thereby any of claims 2-19 and 21- 42, which depend from claim 1), and the Office Action consequently fails to establish a prima facie case of obviousness. Consequently, for at least the reasons mentioned above, reconsideration and withdrawal of these rejections is respectfully requested.

Examiner's response:

The amended claims changed the scope of the independent claims thus allowing the Examiner to use new art and be allowed to proceed with a final rejection.

*Examination Considerations*

10. The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give the claims their broadest reasonable interpretation in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. *In re Prater*, 415 F.2d, 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, l 45-48; p 2100-9, c 1, l 1-4). The Examiner has the full latitude to interpret each claim in the broadest reasonable sense.

Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

11. Examiner's Notes are provided to assist the applicant to better understand the nature of the prior art, application of such prior art and, as appropriate, to further indicate other prior art that maybe applied in other office actions. Such comments are entirely consistent with the intent and sprit of compact prosecution. However, and unless otherwise stated, the Examiner's Notes are not prior art but link to prior art that one of ordinary skill in the art would find inherently appropriate.

12. Examiner's Opinion: Paragraphs 10 and 11 apply. The Examiner has full latitude to interpret each claim in the broadest reasonable sense.

*Conclusion*

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Claims 1-44, 46 are rejected.

*Correspondence Information*

15. Any inquiry concerning this information or related to the subject disclosure should be directed to the Examiner Peter Coughlan, whose telephone number is (571) 272-5990. The Examiner can be reached on Monday through Friday from 7:15 a.m. to 3:45 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor David Vincent can be reached at (571) 272-3080. Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks,

Washington, D. C. 20231;

Hand delivered to:

Receptionist,

Customer Service Window,

Randolph Building,

401 Dulany Street,

Alexandria, Virginia 22313,

(located on the first floor of the south side of the Randolph Building);

or faxed to:

(571) 272-3150 (for formal communications intended for entry.)

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have any questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

/P. C./

Examiner, Art Unit 2129

Peter Coughlan

2/19/2009

/David R Vincent/

Supervisory Patent Examiner, Art Unit 2129